

Article - Environment

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§2–107.

(a) There is a Maryland Clean Air Fund.

(b) Except as provided in § 2–1002(g) of this title, all application fees, permit fees, renewal fees, and funds collected by the Department under this title, Title 6, Subtitle 4 of this article, or received from the Maryland Strategic Energy Investment Fund under § 9–20B–05(g)(3)(iii) of the State Government Article, including any civil or administrative penalty or any fine imposed by a court under these provisions, shall be paid into the Maryland Clean Air Fund.

(c) (1) Subject to the appropriation process in the annual operating budget, the Department shall use the Maryland Clean Air Fund for:

(i) Activities conducted under this title that are related to identifying, monitoring, and regulating air pollution in this State, including program development of these activities as provided in the State budget; and

(ii) Providing grants to local governments to supplement funding for programs conducted by local governments that are consistent with this title and the State program.

(2) Subject to Title 10, Subtitle 1 of the State Government Article (Administrative Procedure Act – Regulations), the Department shall adopt rules and regulations for the management and use of the money in the Fund.

(3) At the end of the fiscal year, the Department shall:

(i) Prepare an annual report on:

1. The Maryland Clean Air Fund that includes an accounting of all financial receipts and expenditures to and from the Fund; and

2. Any relevant information regarding the federal approval process, the effectiveness of the permitting program, and any other issues related to the operation of the permitting program established under § 2–401 of this title;

(ii) Provide a copy of the report to the General Assembly, as provided under § 2–1257 of the State Government Article; and

(iii) Upon request, make the report available to permit holders under this title.

(4) When the Fund equals or exceeds a maximum limit of \$2,000,000, additional money received for the Fund by the Department shall be deposited to the General Fund.

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